

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

- vs -

ABAKI Sadao, et al

- Defendants -

A F F I D A V I T

SHIBAYAMA KENSHIRO

Having first duly sworn an oath as on the attached sheet, in accordance with the procedure prevailing in my country, I hereby depose as follows:

1. From March 1937 to July 1938 I occupied the post of Chief of the Military Affairs Section of the War Ministry, my function being that of handling business relating to China affairs (I being the section chief concerned), such as liaison business, with respect to policies, between the War Ministry and the front troops, all of which went through my hands.

2. I have been shown Exhibit 3,269, from which it appears that Vice-Minister Umezu was reported to have gone to China, taking the outline of the decision of the Imperial Conference. This is quite incorrect. Other matters referred to in the same document likewise are not true--as for example that Commander Terauchi requested the visit of the War Minister or Vice-Minister to Tientsin. It is true that Vice-Minister Umezu went to China at that time; however, his trip was made in the following circumstances.

3. The Japanese Government had at that time decided upon a policy of undertaking through German Ambassador Trautmann negotiations with Chiang Kai-shek for peace between Japan and China. By order of the War Minister I drew up, working with Director of the Foreign Ministry Bureau of Eastern Asiatic Affairs Ishii and Chief of the 1st Military Affairs Section of the Navy Ministry Hoshina, a plan for the peace negotiations. The Government meanwhile carried on discussions with Trautmann.

4. Since it was feared that some disturbance might occur among the soldiers at the front if the plan was realized, it was considered that it might be better if a preliminary understanding could be reached at the front. To carry out this intention of the War Minister, it was decided that the Vice-Minister, Lieutenant General Umezu, should be dispatched to the China front. I was ordered to accompany him.

5. We left Tokyo on 9 January 1938, visited Tientsin, Peking, Changchiakew, Taiyuanfu, Shihchiachwang and Tsinan, conveying the intention of the central Army authorities mostly to army and division commanders. There was nothing conveyed to anyone in China of any such intention as it suggested in Exhibit 3,269, of not dealing with Chiang Kai-shek. We had in fact obtained agreement of the commanders in the field to the intention of the central authorities, mentioned above, of attempting to make peace with Chiang Kai-shek, and were ready to return to Japan, through the medium of Trautmann, and were convinced that no disturbance would occur among the forces in the field when on 16 January the "Kono Declaration" of "no further negotiation with Chiang Kai-shek" was issued, entirely nullifying our work.

In accordance with my conscience I swear to tell the whole truth, withholding nothing and adding nothing.

Shibayama Kenshiro (seal)

On this 4th day of February, 1948

At Tokyo

Deponent: Shibayama Kenshiro

I, Ikeda Sumihisa, hereby certify that the above statement was sworn to by the deponent, who affixed his signature and seal thereto in the presence of this witness.

On the same date

At Tokyo

Witness: Ikeda Sumihisa (seal)

Translation Certificate

I, Nishi Haruhiko, of the defense, hereby certify that I am conversant with the English and Japanese languages and that the foregoing is, to the best of my knowledge and belief, a correct translation of the original document.

Nishi Haruhiko (seal)

Tokyo
6 February 1948